

BUR919990305US1

REMARKS

Claims 2-5, 7-10, 18, 19, 21, 24, 26-30, 33, 35, 36, 39, 41, 42 and 44 have been amended.

In view of the amendments made and the following remarks, reconsideration and allowance of the present application are respectfully requested.

Claims 1 and 6 have been allowed. The Examiner has further indicated that claim 18 recites allowable subject matter and would be allowed if amended to overcome rejection based on 35 U.S.C. §112. Since claims 19-44 depend from claim 18, directly or indirectly, it is believed that they likewise recite allowable subject matter. The remaining claims depend, directly or indirectly, on allowed claims 1 and 6. Applicants appreciate this indication of allowable subject matter in all pending claims of the present application. The foregoing amendments have been made, so as to overcome any outstanding rejections and objections to any of the pending claims.

Claims 5, 7-10 and 21 have been objected to as containing terms lacking antecedent basis. Claim 35 has been objected to as including "SOF".

Claim 3 has been rejected under 35 U.S.C. §112, first paragraph, as not complying with the written description requirement.

And claims 2-5 and 18-44 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Regarding the objections, the terminology of "said gate structure", "said insulator material" and "said pillar" have been corrected, in the places as noted by the Examiner. Also, in

Serial No. 09/944,665

12

BUR919990305US1

claim 35 "SOI" has been replaced with "silicon-on-insulator".

Claim 3 has been amended for consistency in the application.

Also, the rejections based on §112 have been addressed, by amending "an insulating sidewall", "said trench", "first diffusion" and "second diffusion", as required by the Examiner.

In view of the foregoing amendments and remarks, Applicants submit that all of the claims in the present application are in condition for allowance. Accordingly, it is respectfully requested that the Examiner pass the present application to issue.

If any fees, including extension of time fees, are due as a result of this response, please charge IBM Corp. Deposit Account No. 09-0456. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this application.

Respectfully submitted,

FOR: Toshiharu Furukawa, et al

BY: 

William D. Sabo
Registration No. 27,465
Tele. No. (802)769-9454

Date: APR. 5, 2004

Serial No. 09/944,665

13